



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa0382/1
CMH:emw:ew

**SENATE AMENDMENT 4,
TO SENATE BILL 35**

April 21, 2015 – Offered by Senators HANSEN, WIRCH, L. TAYLOR, CARPENTER, HARRIS
DODD, MILLER and C. LARSON.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 5: after that line insert:

3 “**SECTION 2g.** 175.35 (1) (at) of the statutes is amended to read:

4 175.35 (1) (at) “Firearms restrictions record search” means a search of
5 department of justice records to determine whether a person seeking to purchase a
6 handgun is prohibited from possessing a firearm under s. 941.29. “Firearms
7 restrictions record search” includes a criminal history record search, a search to
8 determine whether a person is prohibited from possessing a firearm under s. 51.20
9 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check
10 system to determine whether a person has been ordered not to possess a firearm
11 under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search
12 to determine whether the person is subject to an injunction under s. 813.12 or
13 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court

1 established by any federally recognized Wisconsin Indian tribe or band, except the
2 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
3 or she is subject to the requirements and penalties under s. 941.29 and that has been
4 filed with the circuit court under s. 806.247 (3), and a search to determine whether
5 the person is prohibited from possessing a firearm under s. 813.123 (5m) or 813.125
6 (4m). “Firearms restrictions record search” includes a search of department of
7 justice records to determine if the department of justice has been informed under s.
8 978.05 (3m) that a person seeking to purchase a handgun has been charged with a
9 crime of domestic abuse, as defined in s. 968.075 (1) (a), and is subject to a 48-hour
10 waiting period under sub. (2g) (c) 4. c.”.

11 **2.** Page 2, line 19: after “days” insert “. If the search indicates a charge of a
12 crime of domestic abuse, as defined in s. 968.075 (1) (a), without a recorded
13 disposition, the department shall notify the firearms dealer that the department will
14 not issue an approval number for 48 hours”.

15 **3.** Page 2, line 24: after that line insert:

16 “**SECTION 5p.** 978.05 (3m) of the statutes is created to read:

17 978.05 (**3m**) DOMESTIC ABUSE CRIME CHARGES. For purposes of an accurate
18 firearms restrictions record search under s. 175.35 (1) (at), inform the department
19 of justice when charging an individual with a crime of domestic abuse, as defined in
20 s. 968.075 (1) (a).”.

21 (END)